

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-249-T - ORDER NO. 2009-453

JULY 2, 2009

IN RE:	Application of High End Corporate Coach,)	ORDER APPROVING
	Inc. d/b/a Myrtle Beach Trolley, 2604)	CLASS A CERTIFICATE
	Highway 9 East, Little River, South Carolina)	
	29566 (District 1) for a Class A Certificate of)	
	Public Convenience and Necessity)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of High End Corporate Coach, Inc. d/b/a Myrtle Beach Trolley ("High End" or "the Company") for a Class A Certificate of Public Convenience and Necessity. Further, the Company requests a waiver of publication requirements as required by 26 S.C. Code Ann. Regs. 103-132 (Supp. 2008) and expedited review of the Application. The Office of Regulatory Staff ("ORS") filed a letter, which stated that, in light of the type of requested certificate, as well as the seasonal nature of the business and services which the Company is requesting to provide in the Myrtle Beach area, ORS does not object to the Commission granting the requested waiver. 26 S.C. Code Ann. Regs. 103-101 (2) (Supp. 2008) allows such exceptions to the regulations as may be considered just and reasonable in individual cases, when strict compliance with any rule produces unusual difficulty and is not in the public interest. ORS points out unusual difficulty in this case, considering the seasonal nature of the Company's proposed business and services. By the time publication occurs in this case, the season in Myrtle Beach could be mostly concluded. Therefore, we find unusual

difficulty, and further find that enforcement of the regulation is not in the public interest. Accordingly, we waive the regulation requiring publication, and, since there is no opposition to the Application, we grant expedited review.

High End proposes to provide trolley service over regular routes and upon regular schedules in the Myrtle Beach area. The Company has filed the requisite financial statement and a Certificate of Liability Insurance. The Company has shown that it is fit, willing, and able to provide the service proposed. Since there is no opposition to the Application, no intervenor has shown that the public convenience and necessity is already being served. See 26 S.C. Code Ann. Regs. 103-133(4) (Supp. 2008). We hold that the requested Class A Certificate shall be granted, contingent on High End coming into compliance with all Commission rules and regulations.

IT IS THEREFORE ORDERED:

1. That the Application of High End Corporate Coach, Inc. d/b/a Myrtle Beach Trolley for a Class A Certificate of Public Convenience and Necessity is hereby approved.

2. That the Applicant file with the Office of Regulatory Staff (ORS) the proper license fees, proof of liability insurance (i.e. "Form E"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2008) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 (Supp. 2008) of the Department of Public Safety's Rules and Regulations for Motor

Carriers, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

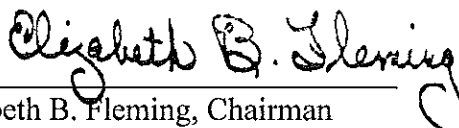
3. That failure of the Applicant to either (1) complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, may result in the authorization approved in this Order being revoked.

4. That upon compliance with the filing of information as required by S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (Supp. 2008), as amended, a Certificate shall be issued by the ORS to the Applicant authorizing the motor carrier services granted herein.


5. That prior to compliance with the requirements regarding the filing of certain information with the ORS and receipt of a Certificate, the motor carrier services authorized by this Order may not be provided.

6. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)